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8	BEFORE THE
9	BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS
10	STATE OF CALIFORNIA
11	In the Matter of the Statement of Issues Against: Case No. 2008-373
12	ROBIN RENEE CASEY, AKA ROBIN R. CASEY, AKA STATEMENT OF ISSUES
13	ROBIN RENEE SAYER, AKA ROBIN RENEE CAMERON
14	1328 Magnolia Avenue Redding, CA 96001
15	Respondent.
16	- Teapondent
17	Complainant alleges:
18	<u>PARTIES</u>
19	1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Statement of
20	Issues solely in her official capacity as the Executive Officer of the Board of Registered Nursing
21	("Board"), Department of Consumer Affairs.
22	2. On or about December 19, 2007, the Board received an Application for
23	Licensure by Examination for a registered nurse license ("application") from Robin Renee Casey,
24	also known as Robin R. Casey, Robin Renee Sayer, and Robin Renee Cameron ("Respondent").
25	On or about December 10, 2007, Respondent certified under penalty of perjury to the truthfulness
26	of all statements, answers, and representations in the application. The Board denied the
27	application on February 4, 2008.
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1	STATUTORY PROVISIONS	
2	3. Business and Professions Code ("Code") section 2761 states, in pertinent	
3	part:	
4	The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:	
5 6	(a) Unprofessional conduct, which includes, but is not limited to, the following:	
7	(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.	
9	4. Code section 480 states, in pertinent part:	
10	(a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:	
11	(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere	
13	(3) Done any act which if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license.	
15	5. Code section 2762 states:	
16	In addition to other acts constituting unprofessional conduct within the meaning	
17	of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed	
18	under this chapter to do any of the following:	
19	(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any	
20	dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself,	
21.	any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her	
22	license.	
<ul><li>23</li><li>24</li></ul>	(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a	
25	record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof.	
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### FIRST CAUSE FOR DENIAL OF APPLICATION

(Criminal Conviction)

- 6. Respondent's application is subject to denial pursuant to Code sections 480, subdivision (a)(1), and 2761, subdivision (f), in that Respondent was convicted of the following crimes:
- a. On or about February 7, 2007, in the Superior Court of California, Tehema County, in the matter entitled *People of the State of California v. Robin Renee Sayer* (Super. Ct. Tehema Cty., 2007, Case No. NCR70899), Respondent was convicted by the court on her plea of guilty of violating Vehicle Code section 23152, subdivision (b) (driving under the influence of alcohol with .08% or greater blood alcohol level).
- b. On or about November 8, 2005, in the Superior Court of California,
  Tehema County, in the matter entitled *People of the State of California v. Robin Sayer* (Super.
  Ct. Tehema Cty., 2005, Case No. NCR67033), Respondent was convicted by the court on her plea of no contest of violating Penal Code section 148, subdivision (a)(1) (resisting, obstructing, or delaying an officer).

### SECOND CAUSE FOR DENIAL OF APPLICATION

(Acts Which if Done by a Licentiate Constitute Cause for Discipline)

- 7. Respondent's application is subject to denial pursuant to Code 480, subdivision (a)(3), in that Respondent committed acts, which, if done by a licentiate constitute cause for discipline, as follows:
- a. Respondent committed acts that constitute a cause for discipline pursuant to Code section 2761, subdivision (f), as more fully set forth in paragraph 6, subparagraphs a and b, above.
- b. Respondent committed an act that constitutes a cause for discipline pursuant to Code section Code section 2761, subdivision (a), on the grounds of unprofessional conduct as defined in Code section 2762, subdivision (b), and Code section 2762, subdivision (c), as more particularly set forth in paragraph 6, subparagraph a, above.

PRAYER WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision: 1. Denying the application of Robin Renee Casey, also known as Robin R. Casey, Robin Renee Sayer, and Robin Renee Cameron, for a registered nurse license; and, Taking such other and further action as deemed necessary and proper. 2. 7/1/08 **Executive Officer** Board of Registered Nursing Department of Consumer Affairs State of California Complainant 03579110-SA2008100462 Casey.SOI.wpd

bfc [5/28/08]